

**TENNESSEE BOARD OF REGISTRATION IN PODIATRY  
MINUTES**

**DATE:** February 24, 2005

**TIME:** 9:00 A.M., C.S.T.

**LOCATION:** Cumberland Room  
Ground Floor, Cordell Hull Building  
Nashville, TN

**BOARD MEMBERS**

**PRESENT:** Donald Skwor, DPM, Chair  
David Long, DPM  
Aaron Perkins, DPM  
Berkeley Nicholls, DPM

**BOARD MEMBERS**

**ABSENT:** Shannon Bottoms

**STAFF PRESENT:** James Hill, Board Administrator  
Nicole Armstrong, Advisory Attorney  
Rick Agee, Unit Director  
Barbara Maxwell, Administrative Director  
Stacy Lannan, Administrative Assistant  
Jerry Kosten, Rules Coordinator

Dr. Skwor, chair, called the meeting to order at 9:04 a.m. A sufficient number of board members were present to constitute a quorum.

**Review Minutes**

Upon review of the August 19, 2004 minutes, Dr. Long made a motion, seconded by Dr. Perkins, to approve the minutes as written. The motion carried.

**Conflict of Interest**

Ms. Armstrong reviewed the conflict of interest policy with the board asking the board members to disclose any conflict of interest they may have prior to contested cases or any other legal proceedings or matters to determine if there is a conflict of interest.

### **Office of General Counsel Report**

Ms. Armstrong reviewed the Office of General Counsel report with the board stating there are currently seven (7) open case files pertaining to the Tennessee Board of Registration in Podiatry. Ms. Armstrong said that the contested case hearing that was scheduled for this meeting will actually be presented at the next board meeting.

### **Investigative Report**

Ms. Lea Phelps reviewed the investigative report with the board stating there is currently one complaint in investigations for the Podiatry board.

### **Disciplinary Report**

Ms. Lea Phelps reviewed the disciplinary report with the board stating there is one podiatrist currently being monitored.

### **Financial Report**

Mr. Agee reviewed the financial report with the board stating that the board is in the black with a carryover from June 30, 2004 of \$4,876.97. Mr. Agee reminded the board that the Health Related Boards is getting a new RBS system which costs will be shared between all the boards.

### **Administrative Report**

Mr. Hill reviewed the administrative report with the board stating that Podiatrists have 228 active licensees, 92 retired and 139 failed to renew, Podiatric X-Ray Operator have 135 active licensees, 3 retired and 32 failed to renew. Mr. Hill said that between August 11, 2004 and February 14, 2005, three (3) licensees have renewed online.

Mr. Hill reminded the board to submit all travel 120 days prior to the travel for review and possible approval and stated there was an increase of \$.38 per mile for travel.

### **Report from Jerry Kosten, Rules Coordinator**

Mr. Kosten discussed and proposed mandatory criminal background checks for all new applicants, stating the issue resulted from the audit conducted by the Office of the Comptroller of the Treasury. Mr. Kosten said the background check will be a nation wide FBI and TBI search at a cost of \$56 to the applicant. Mr. Kosten said the hearing for the criminal background checks will take place on April 21, 2005.

Dr. Perkins made a motion, seconded by Dr. Long, to authorize a rulemaking hearing for the criminal background checks. The motion carried.

Mr. Kosten stated a rulemaking hearing on Rule 1155-2-.02 was conducted December 15, 2004 regarding scope of practice, Rule 1155-2-.08 examinations and new Rule 1155-2-.21 advertising.

Mr. Williams, attorney for Tennessee Podiatric Medical Association, stated that the Tennessee Podiatric Medical Association has two suggestions regarding new Rule 1155-2-.21 advertising. Mr. Williams said they would like to add the word “podiatry” to “podiatrist” and “D.P.M.” as terms that may be used to show that the practitioner is a podiatrist and add a new subsection to Rule 1155-2-.21 as follows: “Failure to mention the certifying board if the podiatrist claims to be certified.”

Dr. Perkins made a motion, seconded by Dr. Long to accept the changes on Rule 1155-2-.21 advertising. The motion carried.

Dr. Long made a motion, seconded by Dr. Perkins to adopt the rules as amended. A roll call vote was conducted and all board members were in favor. The motion carried.

### **Disciplinary Guidelines**

Ms. Armstrong reviewed with the board the disciplinary guidelines. Ms. Armstrong stated that this was a result from the comptrollers audit; they found that the department had no disciplinary guidelines. The guidelines are pretty straight forward and they give the board some room but also some consistency.

After reviewing the disciplinary guidelines, Dr. Perkins made a motion, seconded by Dr. Nicholls, to adopt the Disciplinary Guidelines. The motion carried.

### **Review applicant files for licensure**

After reviewing the file for **Laurel Griffin, DPM**, Dr. Long made a motion, seconded by Dr. Nicholls, to accept Dr. Griffin’s application for licensure. The motion carried.

After reviewing the file for **Rahil Baxamusa, DPM**, Dr. Long made a motion, seconded by Dr. Perkins to accept Rahil Baxamusa’s application for licensure pending passage of the oral exam. The motion carried.

After reviewing the file for **Bradley Castellano, DPM**, Dr. Long made a motion, seconded by Dr. Nicholls, to delay licensure until receipt of information regarding Dr. Castellano’s disciplinary action. The motion carried.

After reviewing a letter from **Tom Kane, D.P.M.**, requesting a wavier of Part III of the National exam, Dr. Perkins made a motion, seconded by Dr. Long, to send a letter to Dr. Kane giving him the opportunity to take Part III of the National exam or withdraw his application. The motion carried.

### **Election of Officers**

Dr. Long made a motion, seconded by Dr. Nicholls, to nominate Dr. Perkins as chairman. The motion carried.

Dr. Perkins made a motion, seconded by Dr. Nicholls, to nominate Dr. Long as secretary. The motion carried.

### **Ratify Podiatry and Podiatric X-Ray Operator Applications**

Dr. Long made a motion, seconded by Dr. Skwor, to ratify the following applications for licensure as podiatrists and Podiatric X-Ray Operators:

#### **Podiatrist**

**Clair Louis Bello III**  
**David Lea Franklin**  
**Caroline Leigh-Ann Gannon**  
**Michael Thomas Hames**  
**Jeffery D. Poole**  
**David Michael Velarde**

#### **Podiatric X-Ray Operator**

**Cynthia Lay Evans Crossman**  
**Beth Ann Freeman Goodwin**  
**Kelly Gray**  
**Joy Pickett**

The motion carried.

### **Other Board Business**

Upon discussion, Dr. Long made a motion, seconded by Dr. Nicholls, to schedule three (3) meetings a year for the Board of Registration in Podiatry. The motion carried.

Upon discussion, Dr. Long made a motion, seconded by Dr. Nicholls, that the board grant licenses at the board meetings and no longer send out “Go To Work Letters” to the applicants. The motion carried.

Upon discussion, Dr. Nicholls made a motion, seconded by Dr. Long, to set up a booth at the next Tennessee State Association Meeting. The motion carried.

With no other business to conduct, Dr. Skwor made a motion, seconded by Dr. Perkins, to adjourn the meeting at 11:20 a.m. The motion carried.

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